

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16cv471**

**SERUM SOURCE INTERNATIONAL, )  
INC., )**

**Plaintiff, )**

**v. )**

**GE HEALTHCARE BIO-SCIENCES )  
CORP. and GE HEALTHCARE INC., )**

**Defendants. )**

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**ORDER**

On February 23, 2017, the Court held a telephone conference with counsel for the parties pursuant to Section 1(i) of the District Court's Pretrial Order in an attempt to mediate the discovery dispute in this matter. After concluding that the Court would be unable to mediate the dispute, it directed the parties to confer and attempt to resolve the dispute one final time. The parties, however, were unable to resolve the dispute and have informed the Court that formal resolution of the dispute will be necessary. Accordingly, the Court **DIRECTS** the parties as follows:

- (1) The parties shall file any motion to compel or motion for protective order with supporting brief by Tuesday, February 28,

2017. The briefs should not exceed 10 pages, and the parties need not re-file any previously submitted exhibits. The parties may file responses to any discovery motions by Thursday, March 2, 2017. Any such briefs should not exceed 10 pages in length. The Court will not consider any reply brief in this matter.
- (2) Prior to filing any discovery motion, counsel for each side should confer with the other side by telephone to see if any resolution of the matter can be reached. The parties shall certify in their motion that counsel spoke by phone or in person. Communication by email will not constitute consultation.
- (3) The Court **SETS** this case for a discovery hearing on March 6, 2017, at 1:00 pm in Courtroom 2 at the United States District Court Western District of North Carolina, Asheville Division, 100 Otis Street, Asheville, North Carolina.
- (4) At the hearing the Court will hear argument as to the discovery dispute, resolve the underlying dispute, and consider whether an award of costs and fees –including the costs and fees incurred from the prior teleconference and motions for pre-hearing teleconference – should be awarded to the prevailing party.

Signed: February 24, 2017

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

